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UTILITY APPLICATION AND APPLICATION FEE TRANSMITTAL
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Sir:

Transmitted herewith for filing is the patent application of

Named Inventor(s): SCOTT NEDDERMAN, JONATHAN TAYLOR, CHRISTOPHER LENZ

For: APPARATUS, SYSTEM AND METHOD FOR MAINTAINING A PERSISTENT DATA STATE
ON A COMMUNICATIONS NETWORK

Enclosed are:

 23 page(s) of specification, 1 page(s) of Abstract, 10 pages of Claims 1- 60 7 sheets of drawings [] formal informal 7 page(s) of Declaration and Power of Attorney

unsigned
 Newly Executed
 Copy from prior application

Deletion of inventors including Signed Statement under 37 C.F.R. 1.63(d)(2)

Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the combined declaration and power of attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.

Microfiche Computer Program (Appendix)

_____ page(s) of Sequence Listing

computer readable disk containing Sequence Listing
 Statement under 37 C.F.R. 1.821(f) that computer and paper copies of the Sequence Listing are the same

Claim for Priority

Certified Copy of the Priority Document

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- English translation documents
- Information Disclosure Statement
- Copy of cited references
- Copy of PTO-1449
- Preliminary Amendment
- Return receipt postcard (MPEP 503)
- Assignment Papers (assignment cover sheet and assignment documents)
- A check in the amount of \$40.00 for recording the Assignment
- Assignment papers filed in parent application Serial No. _____
- Certification of chain of title pursuant to 37 C.F.R. 3.73(b)
- This is a continuation divisional continuation-in-part (C-I-P) of prior application serial no. _____.
- Cancel in the application original claims _____ of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).
- A Preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application).
- The status of the parent application is as follows:
- A Petition for Extension of Time and a Fee therefor has been and is being filed in the parent application to extend the term for action in the parent application until _____.
- A copy of the Petition for Extension of Time in the co-pending parent application is attached.
- No Petition for Extension of Time and Fee therefor are necessary in the co-pending parent application.
- Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.
- Transfer the drawing(s) from the parent application to this application.
- Amend the specification by inserting before the first line the sentence:
This is a continuation divisional continuation-in-part of co-pending application Serial No. _____ filed _____.

I. CALCULATION OF APPLICATION FEE (For Other Than a Small Entity)

				Basic Fee
	Number Filed	Number Extra	Rate	\$ 690.00
Total Claims	60	-20=	40	x \$18.00 \$ 720.00
Independent Claims	16	- 3=	13	x \$78.00 \$1014.00
Multiple Dependent Claims				
	[] yes		Additional Fee = \$260.00	
	[X] no		Additional Fee = NONE	\$ -0-
				TOTAL \$2424.00

[] A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefits under 37 C.F.R. 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. 1.95(F) (50% of total) paid herewith \$ _____.

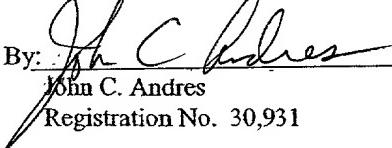
[] A check in the amount of _____ payment of the application fees is attached.

[X] Charge Fee(s) to Deposit Account No. 50-0712. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

[X] The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 50-0712. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

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By: 
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : SCOTT NEDDERMAN ET AL. O / P
 Serial No : TBA Examiner: TBA
 Filed :
 For : APPARATUS, SYSTEM AND METHOD FOR MAINTAINING A PERSISTENT DATA STATE ON A COMMUNICATIONS NETWORK



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EXPRESS MAIL CERTIFICATEExpress Mail Label No. EK599431135USDate of Deposit NOVEMBER 3, 2000

I hereby certify that the following attached paper(s) and/or fee Utility Application and Fee Transmittal (enclosing 23 pages of specification, 1 page of abstract, 10 pages of claims and 7 sheets of formal drawings (Figs 1-7), Declaration/Power of Attorney, Assignment, Assignment Transmittal Letter, and; Return Postcard) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, United States Patent and Trademark Office, 2900 Crystal Drive, Arlington, VA 22202-3513, ATTENTION: BOX PATENT APPLICATIONS.

Lori E. Rooney

(Typed or printed name of person mailing paper(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

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APPARATUS, SYSTEM, AND METHOD FOR MAINTAINING A PERSISTENT DATA STATE ON A COMMUNICATIONS NETWORK

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CROSS-REFERENCE TO RELATED APPLICATIONS

The present application claims priority to U.S. provisional applications no. 60/177,462, filed January 20, 2000; US provisional application no. 60/178,986, filed January 28, 2000; and US provisional application no. 60/180,074, filed February 3, 2000, each of which are hereby incorporated by reference.

10

FIELD

The present application generally relates to computer systems and software, and more particularly to a method and system for a persistent data state on a communications network.

BACKGROUND

15 **INFORMATION TECHNOLOGY SYSTEMS**

Typically, users (i.e. people or other systems) engage computers to facilitate information processing. A computer operating system enables users to access and operate computer information technology. Information technology systems provide interfaces that allow users to access and operate systems.

20 **USER INTERFACE**

Computer user interfaces are analogous in many respects to automobile operator interfaces. Automobile operator interfaces such as steering wheels, gearshifts, and

speedometers facilitate the access, operation, and display of automobile resources, functionality, and status. Similarly, computer user interfaces such as cursors, menus and windows facilitate the access, operation, and display of computer hardware and operating system resources, functionality, and status. Graphical user interfaces such as the Apple

- 5 Macintosh Operating System or Microsoft's Windows provide a system for accessing and displaying information. Such consumer-oriented operating systems enable users to access and operate computer information technology by providing an integrated user interface.
- Other operating systems such as Unix do not provide integrated graphical user interfaces and instead allow various interfaces to be employed such as command line interfaces (e.g. C-
10 shell) and graphical user interfaces (e.g. X windows).

WORLD WIDE WEB

The proliferation and expansion of computer systems, databases, the Internet, and particularly the World Wide Web (the web), have resulted in a vast and diverse collection of information. Various user interfaces that facilitate the interaction of users with

- 15 information technology systems (i.e. people using computers) are currently in use. An information navigation interface called WorldWideWeb.app, i.e. the web was developed in late 1990 on NeXT Computer Inc.'s operating system, NeXTSTEP, at the European
Organization for Nuclear Research (CERN, a particle physics center). Subsequently, information navigation interfaces, i.e. web browsers, have become widely available on
20 almost every computer operating system platform.

Generally, the web is the manifestation and result of a synergetic interoperation between user interfaces (e.g. web browsers), servers, distributed information, protocols, and specifications. Web browsers were designed to facilitate navigation and access to information, while information servers were designed to facilitate provision of

5 information. Typically, web browsers and information servers are disposed in communication with one another through a communications network; i.e. information servers typically provide information to users employing web browsers for navigating and accessing information about the web. Microsoft's Internet Explorer and Netscape Navigator are examples of web browsers. In addition, navigation user interface devices such as WebTV

10 have also been implemented to facilitate web navigation. Microsoft's Information Server and Apache are examples of information servers: their function is to serve information to users that typically access the information by way of web browsers.

HYPertext

Information on the web typically is provided through and distributed

15 employing a HyperText Markup Language (HTML) specification. HTML documents are also commonly referred to as web pages. HTML documents may contain links to other HTML documents that can be traversed by users of web browsers (i.e. user interfaces) by selecting the links, which are commonly highlighted by color and underlining. HTML has been extended and upgraded resulting in new standards such as Extensible Markup Language

20 (XML) and other such variants, which provide greater functionality. HTML's predecessor was Standardized General Markup Language (SGML), which in turn was preceded by the

General Markup Language (GML). SGML is generally regarded as a more functional superset of HTML and first appeared in 1980 as a draft by the Graphic Communications Association (GCA) to the American National Standards Institute (ANSI) (GCA 101-1983); it was adopted as an international standard by the International Standards Organization (ISO) in 5 1986 (ISO 8879:1986). GML was first used to facilitate law office information system integration and improve document processing.

HTML documents typically are accessed through navigation devices via a HyperText Transfer Protocol (HTTP). HTTP is a stateless application-level protocol for distributed, collaborative, hypermedia information systems, and is further described at the

10 World Wide Web Consortium organization (W3C) web site entitled HTTP Specifications and Drafts (available at www.w3.org/Protocols/Specs.html). Microsoft's Information Server allows the tracking of a state with a built-in session object.

The basic web browsing paradigm presents users with a scrolling page full of text, pictures, and various other forms of information media such as movies and links to other 15 documents. Web browsers allow users to access uniquely identified HTML documents on the web by entering a navigation location in a Universal Resource Locator (URL) and employing HTTP as a transfer protocol to provide and obtain web pages. Typically, a user provides the address of a desired HTML document into a URL (either directly or through the selection of links in an already viewed HTML document).

TRANSACTIONS

The onset of the web affected a tremendous increase in transactions occurring through insecure communications networks such as the Internet. Increasingly, such 5 transactions occur via web page forms. In many instances, it is critical that data acquired over a communications network be acquired in a consistent, predictable, and reliable way. Otherwise, a host of problems may result such as failed transactions, application errors, incorrect orders, irritated customers, and other such consequences.

Many of the transactions occurring on the Internet have become more 10 complex requiring a user to make multiple related interactions to complete a transaction.

These multiple related interactions are commonly referred to as a session. In other words, sessions refer to multiple user interaction states. Microsoft's Information Server may maintain a persistent state, i.e. a session. A persistent session makes an interaction state available for reference for a specified period of time.

15

SUMMARY

As set forth below, a need exists for an improved apparatus, system, and method for the tracking of a data state. Particularly, a need exists to create persistent session 20 data across several information servers. Various attempts to solve this problem have been made. Such attempts include Microsoft's Information Server, which employs a built-in session object. Although this session object works for web sites running on a single server and with low reliability requirements, it is inoperable beyond that limited scale. The present

application advances the art by allowing session states to be maintained by sites that run on multiple, load-balanced servers. The present application advances the art by removing a single point of failure in a system, thus preventing all active sessions from being lost by providing persistent session data distributable across one or more machines over a

5 communications network.

In one embodiment, the present system includes an apparatus, comprising a processor, a storage medium communicatively connected to the processor, and a program stored in the storage medium. In one embodiment, the program further comprises a module to generate a user session key, a module to provide session information, and a module to

10 associate session information with the session key. In another embodiment, the program comprises a module to generate a user session key, a module to provide the user session key, and a module to store the user session key. In a third embodiment, the program comprises a module to provide session information based on a current corresponding session key, and a module to store provided session information.

15 In other embodiments, the program comprises a module to recall session information based on a current and corresponding session key upon traversal of a web form segment, a module to obtain user provided information via the web form segment, a module to update the session information based on the current and corresponding session key, a module to validate the user provided information, and a module to post the user provided

20 information to an information server if the user provided information is validated.

The above advantages and features are of representative embodiments only, and are not exhaustive and/or exclusive. They are presented only to assist in understanding the invention. It should be understood that they are not representative of all the inventions defined by the claims, to be considered limitations on the invention as defined by the claims,

5 or limitations on equivalents to the claims. For instance, some of these advantages may be mutually contradictory, in that they cannot be simultaneously present in a single embodiment. Similarly, some advantages are applicable to one aspect of the invention, and inapplicable to others. Furthermore, certain aspects of the claimed invention have not been discussed herein. However, no inference should be drawn regarding those discussed herein

10 relative to those not discussed herein other than for purposes of space and reducing repetition. Thus, this summary of features and advantages should not be considered dispositive in determining equivalence. Additional features and advantages of the invention will become apparent in the following description, from the drawings, and from the claims.

BRIEF DESCRIPTION OF THE DRAWINGS

The accompanying drawings illustrate certain embodiments of the invention.

Figure 1 illustrates a centralized controller according to one embodiment of the present invention;

5 Figure 2 illustrates another embodiment of the present invention in the form of a distributed system interacting through a communications network;

Figure 3 illustrates another embodiment of the system and various interactions;

Figure 4 illustrates web pages, hypertext, reference and proximal links;

10 Figure 5 illustrates a persistent session in progress;

Figure 6 is a flowchart illustrating a persistent session creation system;

Figure 7 is a flowchart illustrating a persistent session navigation system.

00000000000000000000000000000000

DETAILED DESCRIPTION

CENTRALIZED CONTROLLER

Figure 1 shows one embodiment of a system incorporating the present invention. In this embodiment, the system includes a centralized controller 1101 configured to receive information from one or more users from user input device(s) 1114. The centralized controller may also receive information from a communications network 1115 through its input/output (I/O) facility 1105, preferably, via a network interface 1107. The I/O facility is capable of both receiving and sending information. Peripheral devices 1116 may be attached to the centralized controller for any number of purposes including, but not limited to: printers for output, scanners for input, additional or alternative storage devices for data storage and retrieval, network interfaces for communication, and other like devices.

A typical centralized controller may be based on common computer systems that may include, but are not limited to, components such as: a central processing unit (CPU) 1104, random access memory (RAM) 1103, read only memory 1102, and a local storage device 1108. The CPU is electronically coupled to each of the central controller's other elements. The CPU comprises at least one high-speed data processor adequate to execute program modules for executing user or system-generated requests. These modules are described in Figures 2 through 7. Preferably, the CPU is a conventional microprocessor such as an Intel Pentium Processor. The CPU interacts with RAM, ROM, and storage device(s) to execute stored program code according to conventional data processing techniques.

The local storage device may contain modules. These modules may include, but are not limited to, a session server 1109, a user interface 1110, an operating system 1111, a web browser 1112, an information server 1106, and a database 1113. These modules may be stored and accessed from the local storage device(s) or from storage devices accessible 5 through I/O. Although these modules typically and preferably are stored in a local storage device, they may also be stored in ROM, RAM, peripheral devices or in remote storage facilities through a communications network.

The operating system is executable program code enabling the operation of a centralized controller. The operating system facilitates access of storage devices, I/O, 10 network interfaces devices, peripheral devices, etc. The operating system preferably is a conventional product such as a Unix operating system or Microsoft Windows NT. The operating system, once executed by the CPU, interacts with ROM, RAM, I/O, peripheral devices, user input devices, storage devices, communications networks, program modules, and data, et al. The operating system may also include communication protocols that allow 15 the centralized controller to communicate with other entities through a communications network. One such protocol that may be used is TCP/IP.

DISTRIBUTED CONTROLLERS

Figure 2 shows another embodiment of a system incorporating the present invention. In this embodiment, the centralized controller 1101 embodiment of Figure 1 has 20 been decentralized into components: a user interface controller 2201 or alternatively a user

interface device 2202, a session server controller 2203, a web browser controller 2204, a database controller 2205, and an information server controller 2206.

A user interface controller is configured similarly to the centralized controller of Figure 1 except it does not require a database, session server, information server, or web browser. A user interface 2110 is stored program code that is executed by the CPU. The user interface is responsible for receiving either user or system-generated requests.

In alternative embodiments, a user interface device 2202 may take the place of or be used in conjunction with a user interface controller. The user interface device may be a telephone, a consumer electronics online access device (e.g. Phillips Inc.'s WebTV), PDA or the like.

In one embodiment, a centralized server 1101 is configured as a web server, and conventional communications software such as Netscape Navigator web browser may be used to transmit a conditional purchase offer (CPO). In one embodiment, the CPO centralized server 1101 has a web page on the web, allowing a buyer to provide information through the interface of the conventional web browser software. In one embodiment, the buyer selects the subject of the goods she wishes to purchase by selecting from a list of possible subjects. Subjects might include airline tickets, hotel rooms, rental cars, insurance, mortgages, clothing, etc. After the subject is selected, a form is displayed on a video display monitor of a buyer interface. This form is an electronic contract with a number of blanks to be filled out by the buyer, with each blank representing a condition of a CPO.

An information server controller is comprised similarly to the centralized controller of Figure 1 except it does not require a session server, database, web browser, or user interface. An information server 2106 is stored program code that is executed by the CPU. The information server may be a conventional Internet information server such as

- 5 Microsoft's Internet Information Server revision 4.0. The information server may allow for the execution of program modules through facilities such as C++, Java, JavaScript, ActiveX, CGI scripts, ASP, or any like facility with regular expression (regex) abilities on the server side. An information server typically takes requests from a web browser and provides results to a web browser; however, an information server can take requests from user interfaces as
- 10 well. The information server may also take system requests. In alternative embodiments, a information server may be integrated into a user interface or vice versa, thus, combining the functionality of both.

A session server controller is configured similarly to the centralized controller of Figure 1 except it does not require a database, web browser, information server, or user interface. The session server 2109 is stored program code that is executed by the CPU. A session server takes requests from a user interface and provides results to a user interface. The session server may also take system requests. In Figure 1 the session server is implemented within an information server, however, the session server may also be implemented independently and interact with an information server through provided APIs as

15 20 illustrated in Figure 2 2106 and 2109.

A database controller is configured similarly to the centralized controller of Figure 1 except it does not require a session server, web browser, information server, or user interface. A database(s) 2113 is stored program code that is executed by the CPU and it is stored data processed by the CPU. A database takes requests from a session server and provides results to a session server. The database may also take system requests. In an alternative embodiment, a session server may be integrated into a database or vice versa, thus, combining the functionality of both. In yet another alternative embodiment, a session server may be integrated into a user interface or vice versa, thus, combining the functionality of both.

10 A web browser controller is configured similarly to the centralized controller of Figure 1 except it does not require a session server, database, information server, or user interface. A web browser 2112 is stored program code that is executed by the CPU. The web browser may be a conventional hypertext viewing application such as Microsoft Internet Explorer or Netscape Navigator. The web browser may allow for the execution of program modules through facilities such as Java, JavaScript (preferably revision 1.2 or greater), ActiveX or any like facility with regular expression (regex) abilities. A web browser takes requests from a user interface and provides results to a user interface. The web browser may also take system requests. In alternative embodiments, a web browser may be integrated into a user interface or vice versa, thus, combining the functionality of both.

15 The functionality of the user interface controller, session server controller, database controller, information server controller, and web browser controller may be

combined in any number of ways to facilitate deployment. To accomplish this, one may simply copy the executable code, first ensuring it has been compiled for the appropriate CPU of the controller for which it is destined, and/or data onto a local storage device of one of the various controllers. Similarly, the functionality of the user interface, session server,
5 database, information server, and web browser may be combined in any number of ways to facilitate deployment. To accomplish this, one must simply integrate the components into one code base or in a facility that can dynamically load the components on demand in an integrated fashion.

SYSTEM AND VARIOUS INTERACTIONS

10 Figure 3 shows an overview of the basic interaction of the system. The information server 3106 acts as an in-between for: a user interface 3110 on a system, a user interface device 3202, or a web browser 3112 taking requests. The information server can make further requests of a session server 3109 that itself may access one or more databases to access stored session states or other information. Both the information server and the session
15 server may service multiple instances of any of the aforementioned. Also, there may be one or more instances of the session server and/or information server that may severally or jointly interact with one or more information servers 3106. Session servers service information servers. In turn, the information servers and/or session servers may interact and service one or more databases 3113 for various purposes such as, but not limited to: validation rules,
20 session state storage, and electronic commerce (E-commerce) order fulfillment. Figure 3 shows that the session server and information server may service multiple sources at once,

and that the session server and information server may access more than one database. For example, any information server may request a session state from any number of session servers; thus allowing a user's session to be maintained and provided by any number of session servers, thus increasing performance and fault tolerance.

5 WEB PAGES

Figure 4 shows web pages 4401 with hypertext 4402 and reference links 4403 at various navigation locations 4404. An originating navigation location 4404a references hypertext that may have initial reference links 4403a. These initial reference links are proximal links to the originating navigation location.

10 One may view hypertext at an initial reference navigation location 4404b by traversing an initial reference link. The subsequent reference links 4403b found in the hypertext found at the initial reference navigation location are also proximal links, however, they are one reference less proximal (i.e. one "hop" away) to the originating navigation location.

15 One may view hypertext at a subsequent reference navigation location 4404c by traversing a subsequent reference link. The further subsequent reference links 4403c found in the hypertext found at the subsequent reference navigation location are also proximal links, however, they are two references less proximal (i.e. two "hops" away) to the originating navigation location.

20 PERSISTENT SESSION

Figure 5 illustrates a persistent session in progress. This illustration is for purposes of example only, and in no way should be considered a limited application or implementation of the present invention. Initially, a web browser displays a web page that starts a persistent session and contains various web form fields 5501. This web page is 5 illustrated with an example order for jelly beans, however, any number of uses may be employed for maintaining a persistent session. The user enters items into web fields 5502. After having entered information into each of the web fields the user may advance to the next web form segment by engaging a button 5503a or other facility of the like designed to advance the web browser to another web form segment by employing standard data 10 processing techniques. Upon engaging the next web form segment button, the first session state will be saved and the web browser will advance to the next web form segment 5504. In this web page, the user may enter more information into web fields; in this example the user provides customer information. Upon completion of these fields, the user may engage a button triggering the advance to the next web form segment 5503b, thereby saving the 15 second session state, i.e., doing so will send the information entered into the web form to a session server via HTTP or other such transfer protocols and/or elsewhere as described in Figures 6 and 7. After submitting the order 5503b at the end of the web form segments, an information server might check for the validity of entries. In this example, the user entered wrong information into the quantity field 5502a in the first session state. Having access to 20 saved session states allows the web browser to restore the first session state 5501 so that the user can access the web page without losing their information provision 5505, identify the

error by marking 5506 and/or highlighting it 5507, and allow the user to modify the entry 5508. In this example the user changed the quantity entry from “Lots” to “100.”

PERSISTENT SESSION CREATION

Figure 6 outlines a persistent session creation system, further describing the 5 creation of a persistent state from Figure 5. Initially, a web page supporting persistent sessions is requested by a user 6601. The user may make such a request by using a user interface such as as a web browser.

An information server handling the request can identify that a persistent session is required by observing embedded codes using standard data processing techniques 10 such as, but not limited to: string, compare, sort techniques, and the like. Upon obtaining a request for a persistent session, the information server requests a user session key 6602 from a session server. A web browser will generate an HTTP request and send it through a communications network to an information server. If the session server is integrated into the information server, this may be accomplished through standard data processing techniques 15 such as, but not limited to: variable passing, object instance variable communication, internal messaging, shared memory space, or the like. The preferable embodiment will depend on the context of system deployment; i.e. factors such as the capacity of the underlying hardware resources. If the session server is external to the information server, obtaining the request may be accomplished through: shared files, process pipes, API information passage (i.e. inter 20 application communication), or the like. Again, the preferable embodiment will depend upon the context of system deployment.

The session server generates a user session key 6603. This key is a unique session identifier and associates only with the user and no others. In one embodiment, the association employs the user's IP address for security reasons. However, a multitude of other standard data processing implementations may be employed such as, but not limited to:

- 5 associating a session to a user supplied identifier and password, an encrypted user supplied key such as a PGP key, and other implementations of the like. One implementation generates a key based on the user's IP address, and a date and time stamp so that user session keys may be made to expire after a set time. This consequently creates a session that is unique across any number of distributed controllers.

- 10 Upon generating the user session key, the session server provides the session key 6604. The provision of the user session key may be implemented in any number of standard data processing embodiments such as, but not limited to: sending the user session key directly to the user; providing the user session key to the information server, which may in turn advance it to the user; providing the user session key to the information server, which 15 may in turn imbed the session key into a web page for the user. In one embodiment, the key is imbedded into a web page, thus, reducing the number of client-server transfers.

- 20 Upon provision of a user session key, an information server provides a web page 6605. In alternative embodiments, the provision of the requested web page may occur at any point after it is requested. Upon making the user session key and requested web page available, the user obtains both 6606. The order in which the user obtains the page and/or

user session key is not important, however, one embodiment will provide the user with the user session key imbedded in the web page to increase transfer efficiency.

Upon obtaining the user session key, the session key is saved 6607, in one embodiment, on the client within a cookie. Alternatively, the user session key may also be
5 saved on the server and provided to users upon the provision of uniquely identifying information such as, but not limited to: a unique identifier (e.g. a user name) and password, an IP address, a combination of both, and others of the like. However, it is preferable to employ the client for saving the user session key to reduce client-server transfers.

PERSISTENT SESSION NAVIGATION

10 Figure 7 outlines a persistent session navigation system (PSNS), and further describes a persistent session of Figures 5 and 6. In one embodiment, a persistent session navigation system is comprised of a traverse and recall subsystem 7701, a provide and save subsystem 7702, and optionally of a verification subsystem 7703. However, employing standard development techniques, the PSNS may be implemented by not only reordering the
15 subsystems, but also by combining and intermeshing the subsystems.

Upon the creation of a persistent session as detailed in Figure 6, a user will navigate to an appropriate form segment 7704. Thereafter, the appropriate form segment is provided 7705 employing standard data processing techniques such as, but not limited to, obtaining the web page (segment) from: cache, in memory, an information server, or other
20 facility of the like. Upon the user's navigation to the appropriate form segment, session information for the form segment is provided 7706, employing standard data processing

techniques such as, but not limited to, obtaining the session information from: cache, a file (e.g. a cookie), a session server, an information server, or other facility of the like. Of course, if a session has just been created, and no modifications have been made, there will be no session state information to provide.

- 5 In one embodiment, session data (i.e. session information) includes text entries made into web form fields, (pop-up) menu selections, user interface selections (e.g., check boxes), and or the like. In one embodiment, the session data is saved as HTML, ASCII text, and or the like. In alternative embodiments, the session data may be encrypted, saved as binary, and or the like formats. Session data may be provided 7706 upon any
10 triggering event to a session server and or local storage. In one embodiment, the session update occurs when selecting a button, e.g., 5503a of Figure 5. The button might generated by, contain, and/or be associated with HTML, Javascript, and/or the like, which takes the user entries in a web form, i.e., session data, and sends them to a session server and/or local storage. In another embodiment, a web page may have HTML, Javascript, and or the like
15 embedded within, which periodically executes sending session data updates to a session server and/or local storage.

Upon the provision of a web page 7705 or 6605 of Figure 6, a user may provide information 7707. Typically, the provision of information may be accomplished as outlined in Figure 5. Upon the user's provision of information, which may also include the
20 provision of no information, the user may attempt to advance to the next form segment 7708. The next form segment may be another web page, or just another section of a web page, or

the like. The user may attempt to advance to the next form segment as outlined in Figure 5 by selecting a link or other like mechanisms.

Upon the user's attempt to advance to the next form segment, the session state is updated 7709. A session state is a session key with associated session data. In one 5 embodiment, both the session key and session data are stored together on a session server. In an alternative embodiment, session keys may be saved separate from associated session data, i.e., session keys may be stored on a session server with references to the locations of associated session data. In one embodiment, a session server will save every session state update, i.e., user entered web form data sent at every triggering update event; such an 10 embodiment allows for stepping back in time through the progression of a user data entry session. In an alternative embodiment, only a single session state is maintained and updated at the session server. In yet another embodiment, session data is saved in a cookie, file, and/or the like local storage facility and only a session key is saved at the session server; this embodiment reduces network transactions and server resource requirements. In one 15 embodiment, local cookie saving of session data may be achieved by generating a session key that references a local cookie, file name, and or the like.

In an alternative embodiment, the session state may be updated with finer granularity; i.e. the session state may be updated as the user provides information going from web form field to field. The session state information may be updated to any number of 20 facilities such as, but not limited to: memory, cache, file(s) (i.e. cookie(s)), session server(s), information server(s), or like facility. In one embodiment, the session state information is

saved to a cookie on the client to minimize client-server transactions. Preferably, a session server will maintain a corresponding time stamped key. Thus, if a transaction takes too long to be submitted, e.g. more than some set amount of time, the session server will purge its session key and not allow the updating or posting of a session. This embodiment, although 5 not limiting, is advisable for security reasons.

Upon a user's attempt to advance to a next form segment, the PSNS may check if there are anymore entries required to complete an entry transaction 7710. If there are more entries required, then the user will navigate to the appropriate form segment 7704. Thus, subsequent cycling from 7701 to 7703 of multi-part web pages may occur. Upon 10 reaching the end of a web form 7710, the session information may be validated 7711. If the session information is found to be invalid by the information server or like facility, then the user will navigate to the appropriate form segment so that a correction may be made as illustrated in Figure 5 by engaging web form data entry elements.

Upon obtaining valid session information 7711, the information may be 15 posted to the information server and any subsequent verification may be provided 7712. For example, an order may be posted and the order information may be processed by modules designed for such a purpose; and once the processing is complete, the user may be presented with a new web page verifying the completion of the transaction. Of course, actual transmission of the user information may not be required if session state updating 7709 was 20 provided to a session server or information server continuously; in such an embodiment, the posting would simply instruct the PSNS to obtain the latest session information from the

server. The latest session information may be identified by time and date stamps provided by the operating system, database record creation time date stamps, and or the like.

It should be understood that the above description is only representative of illustrative embodiments. For the convenience of the reader, the above descriptions have focused on a representative sample of all possible embodiments, a sample that teaches the principles of the invention. The description has not attempted to exhaustively enumerate all possible variations. That alternate embodiments may not have been presented for a specific portion of the invention or that further undescribed alternate embodiments may be available for a portion is not to be considered a disclaimer of those alternate embodiments. It will be appreciated that many of those undescribed embodiments incorporate the same principles of the invention and others are equivalent. Thus, it is to be understood that the embodiments and variations shown and described herein are merely illustrative of the principles of this invention and that various modifications may be implemented without departing from the scope and spirit of the invention.

15

CLAIMS

What is claimed is:

1. 1. A session state method allowing session states to be maintained by sites that run on multiple, load-balanced servers by providing persistent session data distributable across one or more machines over a communications network, comprising:
 - 4 recalling session information based on a current and corresponding session key upon traversal of a web form segment;
 - 6 obtaining user provided information via the web form segment;
 - 7 updating the session information based on the current and corresponding session key;
 - 8 validating the user provided information;
 - 9 posting the user provided information to an information server if the user provided information is validated.
- 1 2. The method of claim 1, wherein the updated session information based on the current and corresponding session key is updated to a cookie.
- 1 3. The method of claim 1, wherein the updated session information based on the current and corresponding session key is updated to a cache.
- 1 4. The method of claim 1, wherein the updated session information based on the current and corresponding session key is updated to a session server.
- 1 5. The method of claim 1, wherein the updated session information based on the current and corresponding session key is updated to an information server.

- 1 6. A session state system allowing session states to be maintained by sites that run on
2 multiple, load-balanced servers by providing persistent session data distributable across one
3 or more machines over a communications network, comprising:
4 means for recalling session information based on a current and corresponding session key
5 upon traversal of a web form segment;
6 means for obtaining user provided information via the web form segment;
7 means for updating the session information based on the current and corresponding
8 session key;
9 means for validating the user provided information; and
10 means for posting the user provided information to an information server if the user
11 provided information is validated.
- 1 7. The system of claim 6, wherein the updated session information based on the current and
2 corresponding session key is updated to a cookie.
- 1 8. The system of claim 6, wherein the updated session information based on the current and
2 corresponding session key is updated to a cache.
- 1 9. The system of claim 6, wherein the updated session information based on the current and
2 corresponding session key is updated to a session server.
- 1 10. The system of claim 6, wherein the updated session information based on the current and
2 corresponding session key is updated to an information server.

- 1 11. A computer session state program stored on a computer readable medium, the session
2 state program to allow session states to be maintained by sites that run on multiple, load-
3 balanced servers by providing persistent session data distributable across one or more
4 machines over a communications network, comprising:
5 a module to recall session information based on a current and corresponding session key
6 upon traversal of a web form segment;
7 a module to obtain user provided information via the web form segment;
8 a module to update the session information based on the current and corresponding
9 session key;
10 a module to validate the user provided information; and
11 a module to post the user provided information to an information server if the user
12 provided information is validated.
- 1 12. The medium of claim 11, wherein the updated session information based on the current
2 and corresponding session key is updated to a cookie.
- 1 13. The medium of claim 11, wherein the updated session information based on the current
2 and corresponding session key is updated to a cache.
- 1 14. The medium of claim 11, wherein the updated session information based on the current
2 and corresponding session key is updated to a session server.
- 1 15. The medium of claim 11, wherein the updated session information based on the current
2 and corresponding session key is updated to an information server.

1 16. A session state apparatus to allow session states to be maintained by sites that run on
2 multiple, load-balanced servers by providing persistent session data distributable across one
3 or more machines over a communications network, comprising:

4 a processor;

5 a storage medium, communicatively connected to the processor; and

6 a program, stored in the storage medium, comprising:

7 a module to recall session information based on a current and corresponding session

8 key upon traversal of a web form segment;

9 a module to obtain user provided information via the web form segment;

10 a module to update the session information based on the current and corresponding
11 session key;

12 a module to validate the user provided information;

13 a module to post the user provided information to an information server if the user
14 provided information is validated.

1 17. The apparatus of claim 16, wherein the updated session information based on the current
2 and corresponding session key is updated to a cookie.

1 18. The apparatus of claim 16, wherein the updated session information based on the current
2 and corresponding session key is updated to a cache.

1 19. The apparatus of claim 16, wherein the updated session information based on the current
2 and corresponding session key is updated to a session server.

1 20. The apparatus of claim 16, wherein the updated session information based on the current
2 and corresponding session key is updated to an information server.

1 21. A method, comprising:

2 generating a user session key;
3 providing session information; and
4 associating session information with the session key.

5 22. The method of claim 21, further comprising storing the user session key.

1 23. The method of claim 22, further comprising storing the user session information.

1 24. The method of claim 23, wherein storing the user session information includes an
2 association with the user session key.

1 25. The method of claim 23, wherein storing the user session key includes an association
2 with the information.

1 26. A system, comprising:

2 means for generating a user session key;
3 means for providing session information;
4 means for associating session information with the session key.

5 27. The system of claim 26, further comprising a means for storing the user session key.

1 28. The system of claim 26, further comprising a means for storing the user session
2 information.

1 29. The system of claim 28, wherein storing the user session information includes an
2 association with the user session key.

1 30. The system of claim 27, wherein storing the user session key includes an association with
2 the information.

1 31. A computer program stored on a computer readable medium, the program, comprising:
2 a module to generate a user session key;
3 a module to provide session information;
4 a module to associate session information with the session key.

5 32. The medium of claim 31, further comprising a module to store the user session key.

1 33. The medium of claim 31, further comprising a module to store the user session
2 information.

1 34. The medium of claim 33, wherein the module to store the user session information
2 includes an association with the user session key.

1 35. The medium of claim 32, wherein the module to store the user session key includes an
2 association with the information.

1 36. An apparatus, comprising:
2 a processor;
3 a storage medium, communicatively connected to the processor; and
4 a program, stored in the storage medium, comprising:
5 a module to generate a user session key;
6 a module to provide session information;
7 a module to associate session information with the session key.

8 37. The apparatus of claim 36, further comprising a module to store the user session key.

- 1 38. The apparatus of claim 36, further comprising a module to store the user session
2 information.
- 1 39. The apparatus of claim 38, wherein the module to store the user session information
2 includes an association with the user session key.
- 1 40. The apparatus of claim 37, wherein the module to store the user session key includes an
2 association with the information.
- 1 41. A method, comprising:
2 generating a user session key;
3 providing the user session key;
4 storing the user session key.
- 1 42. A system, comprising:
2 means for generating a user session key;
3 means for providing the user session key;
4 means for storing the user session key.
- 1 43. A computer program stored on a computer readable medium, the program, comprising:
2 a module to generate a user session key;
3 a module to provide the user session key;
4 a module to store the user session key.

- 1 44. An apparatus, comprising:
- 2 a processor;
- 3 a storage medium, communicatively connected to the processor; and
- 4 a program, stored in the storage medium, comprising:
- 5 a module to generate a user session key;
- 6 a module to provide the user session key;
- 7 a module to store the user session key.
- 1 45. A method, comprising:
- 2 providing session information based on a current corresponding session key;
- 3 storing provided session information.
- 1 46. The method of claim 45, further comprising recalling of session information specified by
- 2 traversal.
- 1 47. The method of claim 45, wherein storage of the provided session information includes a
- 2 user session key.
- 1 48. The method of claim 45, further comprising verifying of provided session information.
- 1 49. A system, comprising:
- 2 means for providing session information based on a current corresponding session key;
- 3 means for storing provided session information.
- 1 50. The system of claim 49, further comprising a means for recalling of session information
- 2 specified by traversal.

- 1 51. The system of claim 49, wherein storage of the provided session information includes a
2 user session key.
- 1 52. The system of claim 49, further comprising a means for verifying of provided session
2 information.
- 1 53. A computer program stored on a computer readable medium, the program, comprising:
2 a module to provide session information based on a current corresponding session key;
3 a module to store provided session information.
- 1 54. The medium of claim 53, further comprising a module to recall session information
2 specified by traversal.
- 1 55. The medium of claim 53, wherein storage of the provided session information includes a
2 user session key.
- 1 56. The medium of claim 53, further comprising a module to verify of provided session
2 information.
- 1 57. An apparatus, comprising:
2 a processor;
3 a storage medium, communicatively connected to the processor; and
4 a program, stored in the storage medium, comprising:
5 a module to provide session information based on a current corresponding session
6 key;
7 a module to store provided session information.

- 1 58. The apparatus of claim 57, further comprising a module to recall session information
- 2 specified by traversal.
- 1 59. The apparatus of claim 57, wherein storage of the provided session information includes
- 2 a user session key.
- 1 60. The apparatus of claim 57, further comprising a module to verify of provided session
- 2 information.

1

ABSTRACT

2

The present invention is an apparatus, system, and method for the improved tracking of a data state. The present invention allows session states to be maintained by sites that run on multiple, load-balanced servers. The present invention removes a single point of failure in a system, thus preventing all active sessions from being lost by providing persistent session data distributable across one or more machines over a communications network.

Figure 1

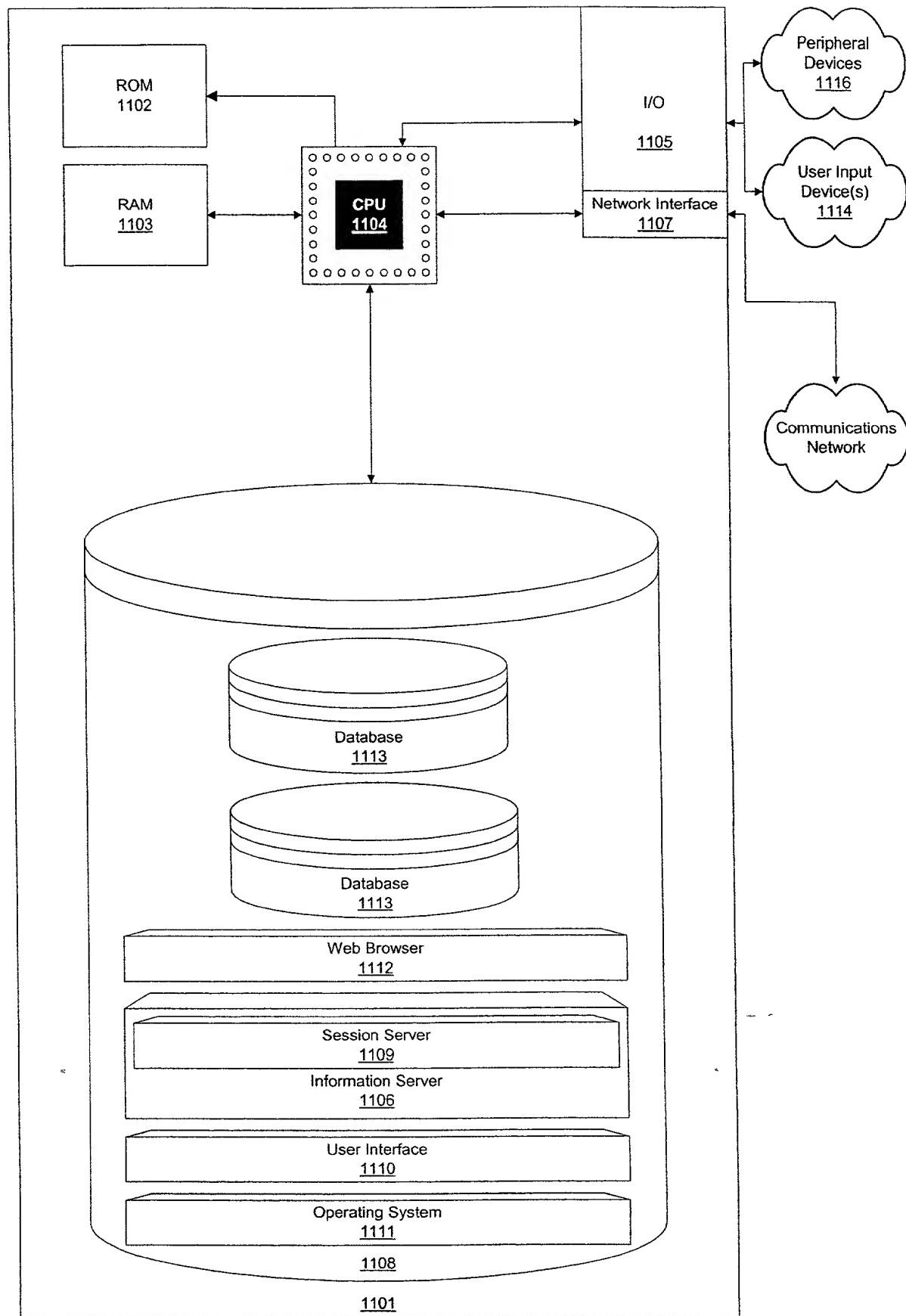


Figure 2

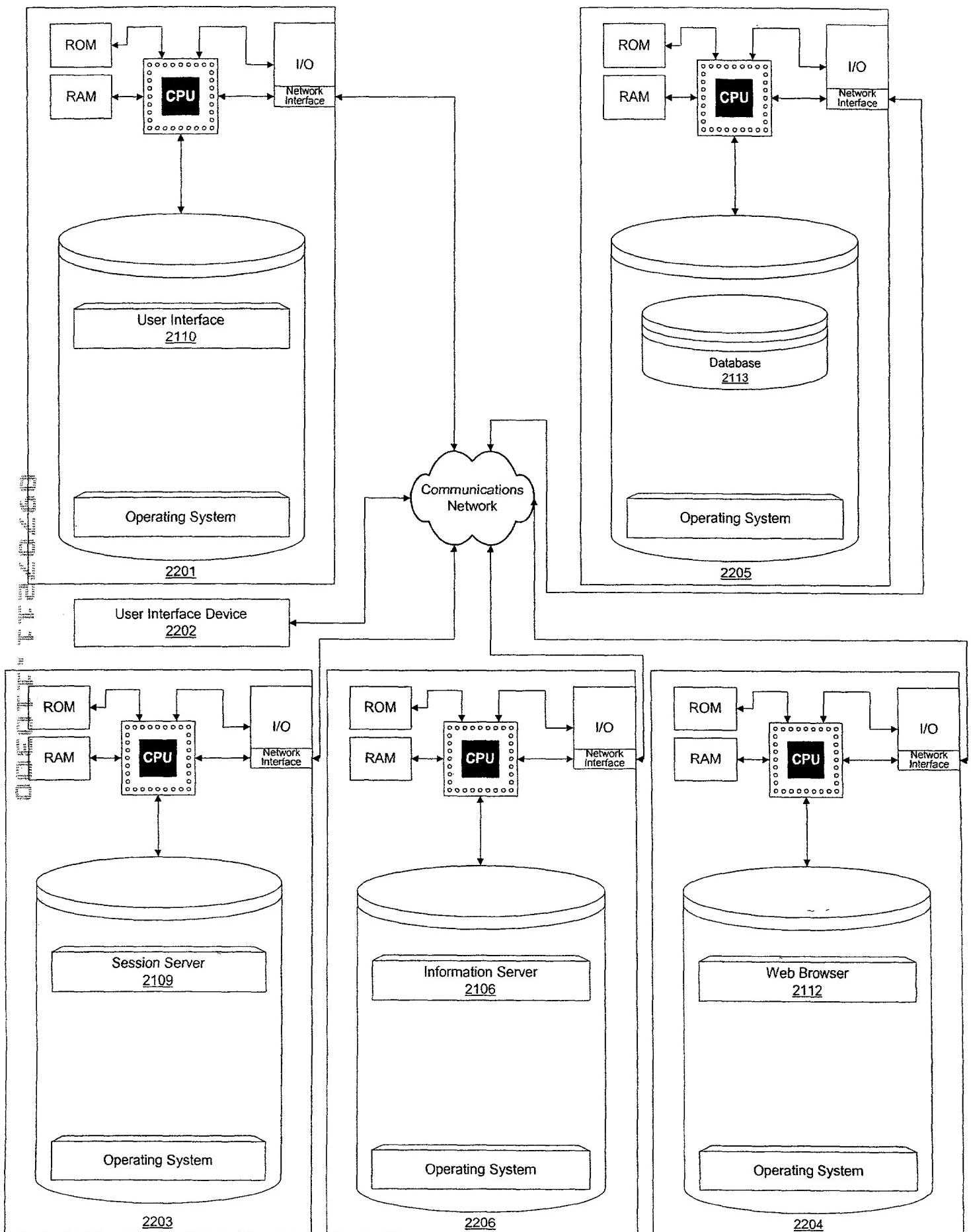


Figure 3

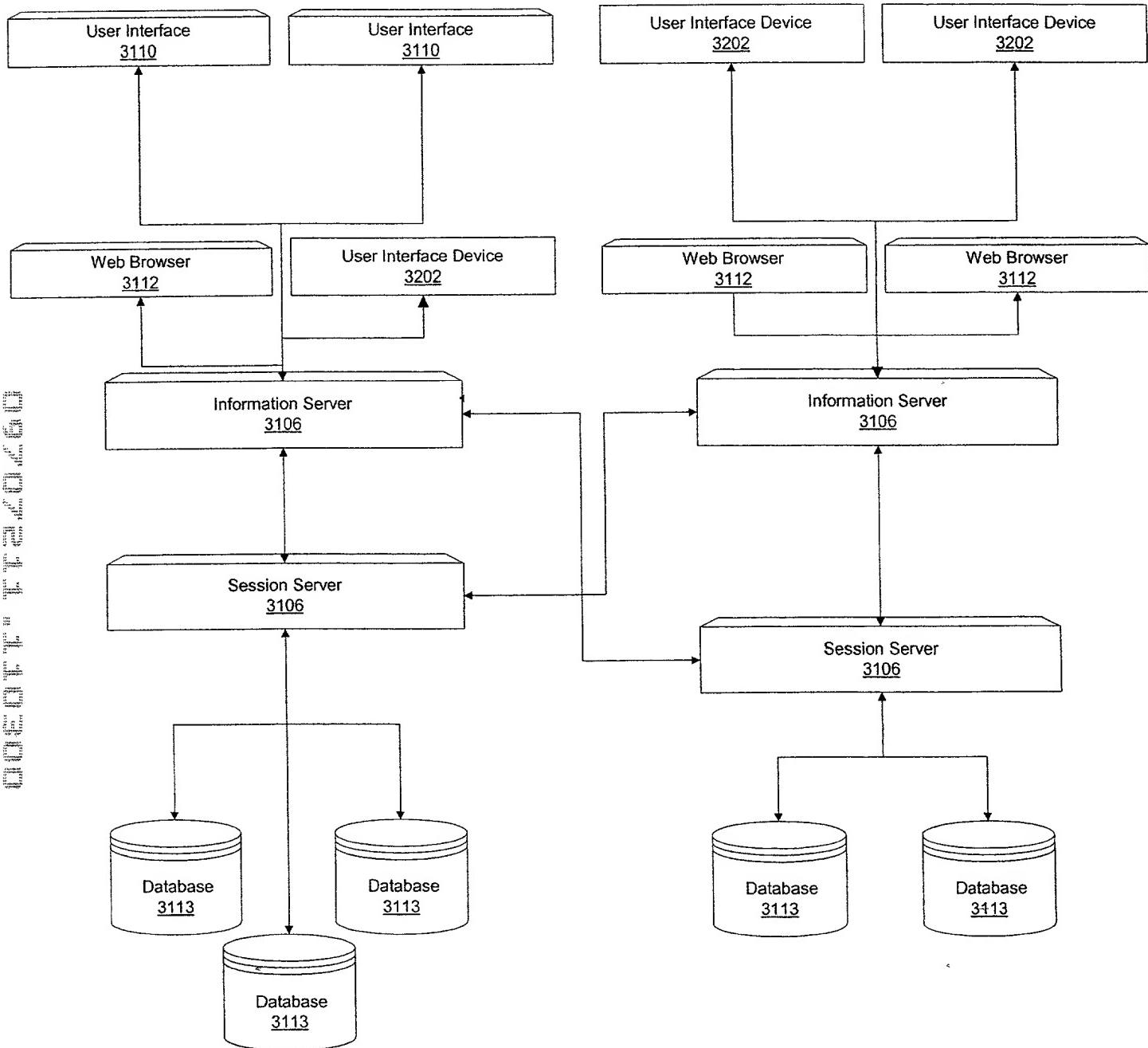


Figure 4

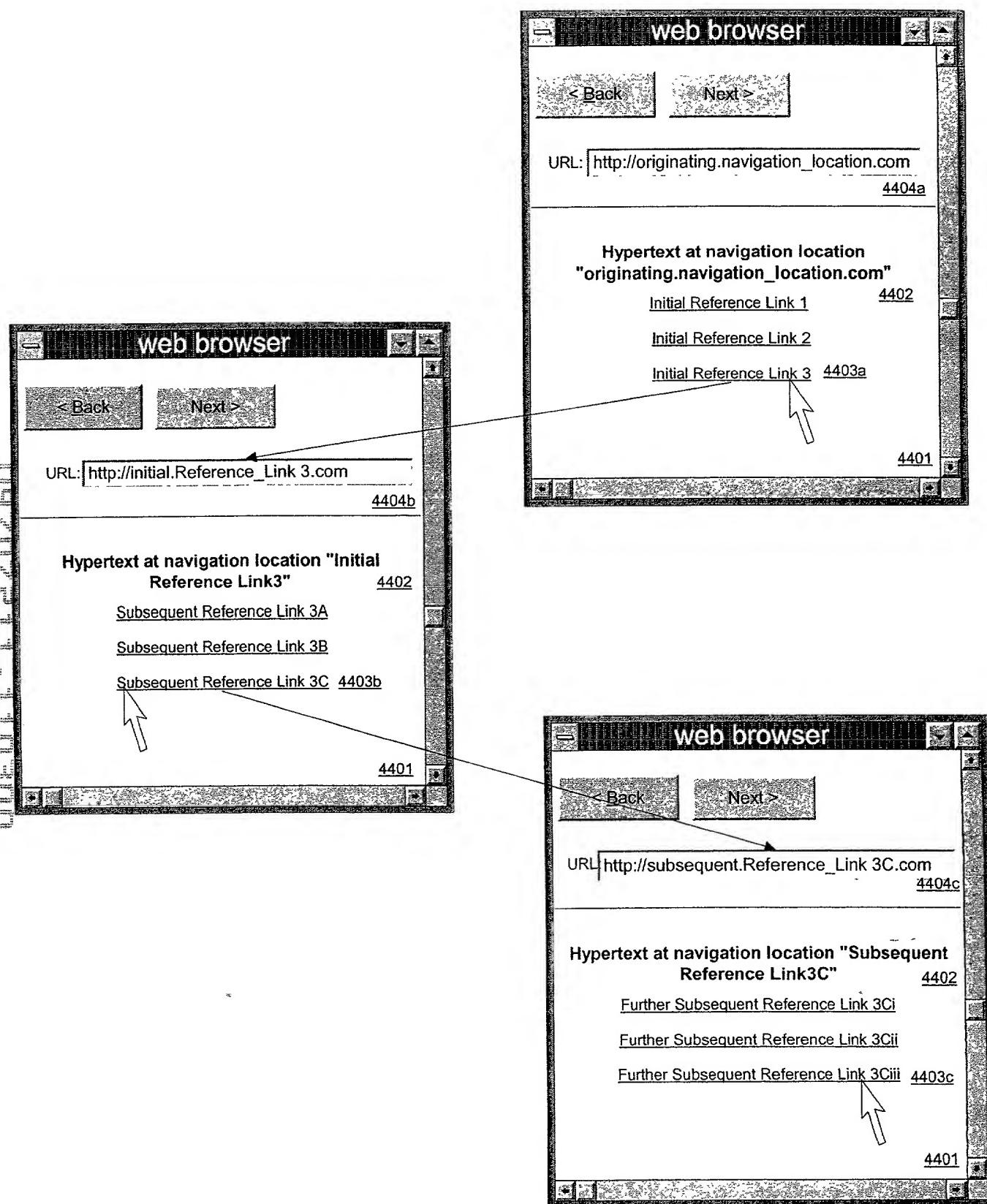
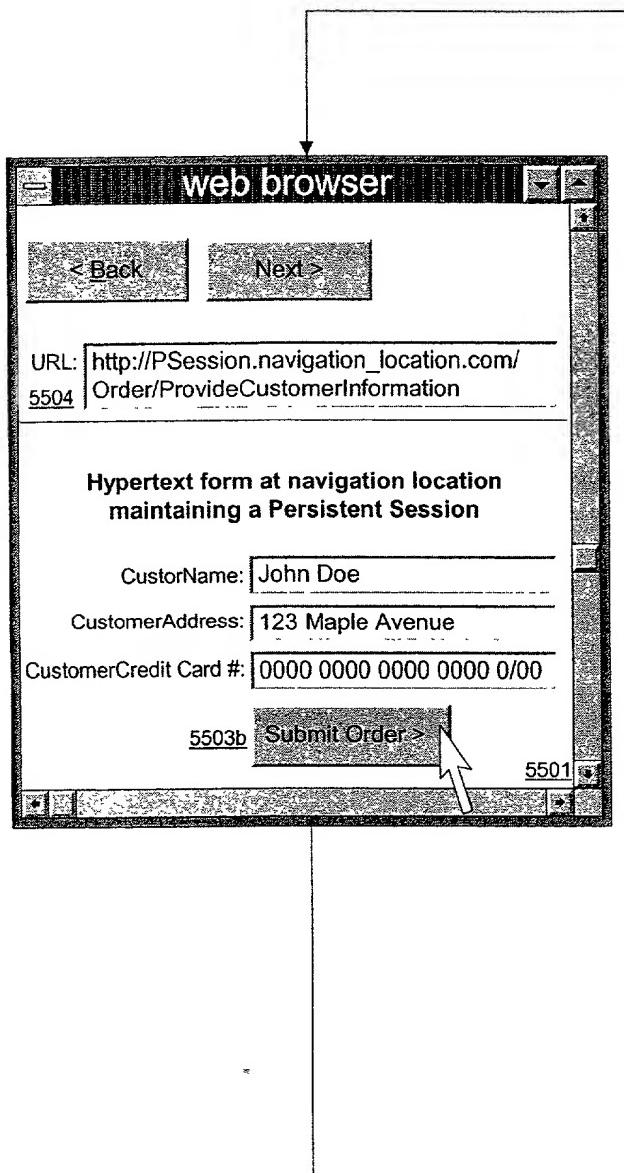


Figure 5

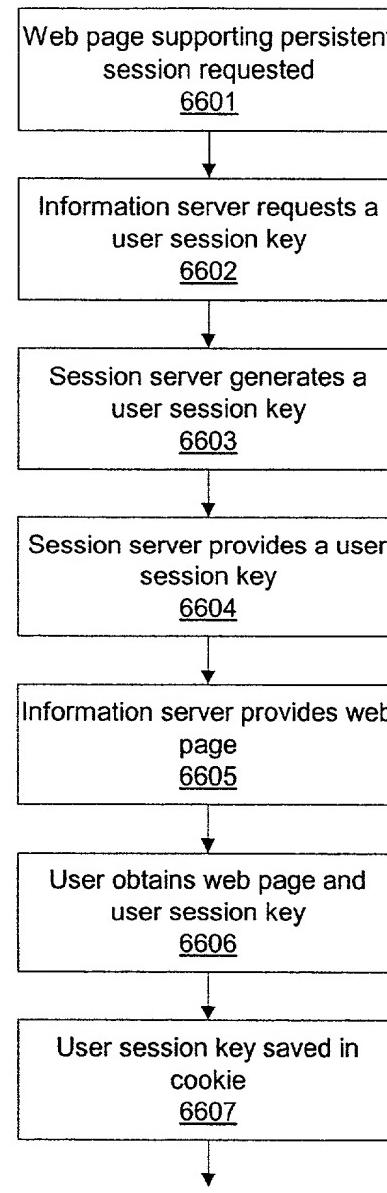


A screenshot of a 'web browser' window. The title bar says 'web browser'. The URL field shows 'http://PSession.navigation_location.com/Order>SelectGoods'. The main content area is titled 'Hypertext form at navigation location starting a Persistent Session'. It contains three input fields: 'Item: Jelly Beans 5505' (with a dropdown arrow), 'Color: Red 5505' (with a dropdown arrow), and 'Quantity: Lots 5505'. There is handwritten text '5502u' next to '5505'. Below the fields is a 'Next Form >' button with the identifier '5503a'. In the bottom right corner of the window, there is a small number '5501'.

A screenshot of a 'web browser' window. The title bar says 'web browser'. The URL field shows 'http://PSession.navigation_location.com/Order>SelectGoods'. The main content area is titled 'Hypertext form at navigation location providing a Persistent Session'. It contains three input fields: 'Item: Jelly Beans' (with a dropdown arrow), 'Color: Red' (with a dropdown arrow), and 'Quantity: 100 5507'. There is handwritten text '5502c' next to '5507'. Below the fields is a 'Next Form >' button with the identifier '5503m'. In the bottom right corner of the window, there is a warning icon (an exclamation mark in a triangle) and a small number '5506'.

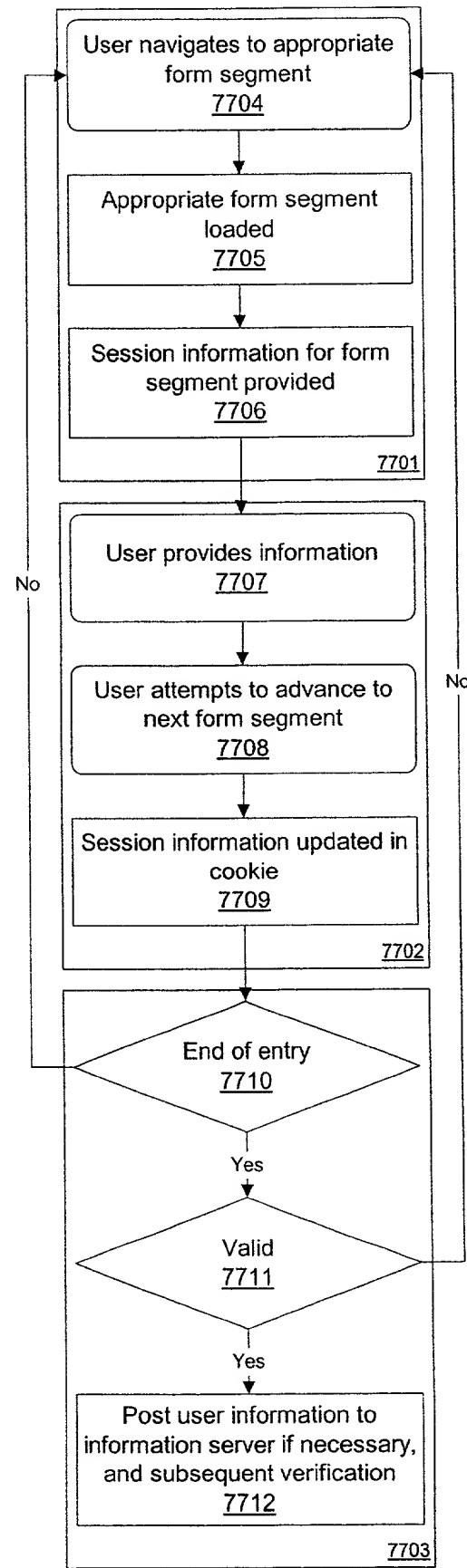
Persistent Session Creation System

Figure 6



Persistent Session Navigation System

Figure 7



**COMBINED DECLARATION AND POWER OF ATTORNEY FOR
ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL
DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART APPLICATION**

As a below name inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**APPARATUS, SYSTEM AND METHOD FOR MAINTAINING A PERSISTENT DATA STATE ON A
COMMUNICATIONS NETWORK**

the specification of which

- a. is attached hereto
- b. was filed on _____ as application Serial No. _____ and was amended on _____.
(if applicable).

PCT FILED APPLICATION ENTERING NATIONAL STATE

- c. was described and claimed in International Application No. _____ filed on _____ and as amended on _____. (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby specify the following as the correspondence address to which all communications about this application are to be directed:

SEND CORRESPONDENCE TO: John C. Andres, Esq.
priceline.com Incorporated
800 Connecticut Avenue
Norwalk, Connecticut 06854

DIRECT TELEPHONE CALLS TO: 203-299-8671

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) or under § 365(b) of any foreign application(s) for patent or inventor's certificate or under § 365(a) of any PCT international application(s) designating at least one country other than the U.S. listed below and also have identified below such foreign application(s) for patent or inventor's certificate or such PCT international application(s) filed by me on the same subject matter having a filing date within twelve (12) months before that of the application on which priority is claimed:

The attached 35 U.S.C. § 119 claim for priority for the application(s) listed below forms a part of this declaration.

<u>Country/PCT</u>	<u>Application Number</u>	<u>Date of filing (day, month, yr)</u>	<u>Date of Issue (day, month, yr)</u>	<u>Priority Claimed</u>
				[] YES [] NO
				[] YES [] NO
				[] YES [] NO

[] I hereby claim the benefit under 35 U.S.C. § 119(e) of any U.S. provisional application(s) listed below.

Provisional Application No.

Date of Filing (day, month, yr)

ADDITIONAL STATEMENTS FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART
OR PCT INTERNATIONAL APPLICATION(S) (DESIGNATING THE U.S.)

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or under § 365(c) of any PCT international application(s) designating the U.S. listed below.

<u>US/PCT Application Serial No.</u>	<u>Filing Date</u>	<u>Status (patented, pending, abandoned)/ U.S. application no. assigned (For PCT)</u>
<u>US/PCT Application Serial No.</u>	<u>Filing Date</u>	<u>Status (patented, pending, abandoned)/ U.S. application no. assigned (For PCT)</u>
<u>US/PCT Application Serial No.</u>	<u>Filing Date</u>	<u>Status (patented, pending, abandoned)/ U.S. application no. assigned (For PCT)</u>
<u>US/PCT Application Serial No.</u>	<u>Filing Date</u>	<u>Status (patented, pending, abandoned)/ U.S. application no. assigned (For PCT)</u>

[x] In this continuation-in-part application, insofar as the subject matter of any of the claims of this application is not disclosed in the above listed prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Imprisonment, or both, under Section 1001 of

Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys and/or agents with full power of substitution and revocation, to prosecute this application, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith: John C. Andres (Reg. No. 30,931) of priceline.com Incorporated, 800 Connecticut Avenue, Norwalk, Connecticut 06854

and

John A. Diaz (Reg. No. 19,550), John C. Vassil (Reg. No. 19,098), Alfred P. Ewert (Reg. No. 19,887), David H. Pfeffer, P.C. (Reg. No. 19,825), Harry C. Marcus (Reg. No. 22,390), Robert E. Paulson (Reg. No. 21,046), Stephen R. Smith (Reg. No. 22,615), Kurt E. Richter (Reg. No. 24,052), J. Robert Dailey (Reg. No. 27,434), Eugene Moroz (Reg. No. 25,237), John F. Sweeney (Reg. No. 27,471), Arnold I. Rady (Reg. No. 26,601), Christopher A. Hughes (Reg. No. 26,914), William S. Feiler (Reg. No. 26,728), Joseph A. Calvaruso (Reg. No. 28,287), James W. Gould (Reg. No. 28,859), Richard C. Komson (Reg. No. 27,913), Israel Blum (Reg. No. 26,710), Bartholomew Verdirame (Reg. No. 28,483), Maria C.H. Lin (reg. No. 29,323), Joseph A. DeGirolamo (Reg. No. 28,595), Michael A. Nicodema (Reg. No. 33,199), Michael P. Dougherty (Reg. No. 32,730), Seth J. Atlas (Reg. No. 32,454), Andrew M. Riddles (Reg. No. 31,657), Bruce D. DeRenzi (Reg. No. 33,676), Michael M. Murray (Reg. No. 32,537) Mark J. Abate (Reg. No. 32,527) and Walter G. Hanchuk (Reg. No. 35,179) of Morgan & Finnegan, L.L.P. whose address is: 345 Park Avenue, New York, New York, 10154; and Edward A. Pennington (Reg. No. 32,588) of Morgan & Finnegan, L.L.P., whose address is 1775 Eye Street, Suite 400, Washington, D.C. 20006.

[] I hereby authorize the U.S. attorneys and/or agents named hereinabove to accept and follow instructions from _____ as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and/or agents and me. In the event of a change in the person(s) from whom instructions may be taken I will so notify the U.S. attorneys and/or agents hereinabove.

Full name of first joint inventor, if any Scott Nedderman
Inventor's signature* Scott Nedderman Date 11/3/2000
Residence 403 Elm Street, Monroe, Connecticut 06468
Citizenship USA
Post Office Address Same as residence

Full name of second inventor Jonathan Taylor
Inventor's signature* Jonathan Taylor Date 11/3/2000
Residence 93 Stonecrest Road, Ridgefield, Connecticut 06877
Citizenship USA
Post Office Address Same as residence

Full name of third inventor Christopher Lenz
Inventor's signature* Christopher Lenz Date 11/3/2000
Residence 5 Quail Drive, Ridgefield, Connecticut 06877
Citizenship USA
Post Office Address Same as residence

Full name of fourth inventor _____
Inventor's signature* _____ Date _____
Residence _____
Citizenship _____
Post Office Address _____

[] ATTACHED IS ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR SIGNATURE BY THIRD AND SUBSEQUENT INVENTORS FORM.

* Before signing this declaration, each person signing must:

1. Review the declaration and verify the correctness of all information therein; and
2. Review the specification and the claims, including any amendments made to the claims.

After the declaration is signed, the specification and claims are not to be altered.

To the inventor(s):

The following are cited in or pertinent to the declaration attached to the accompanying application:

Title 37, Code of Federal Regulation, § 1.56

Duty to disclose information material to patentability.

(a) A patent by its very nature is affect with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

Title 35, U.S. Code § 101

Inventions patentable

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Title 35 U.S. Code § 102

Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless –

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent,

- Office of the Secretary
- (b) the invention was patented or described in a printed publication in this or foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States, or
 - (c) he has abandoned the invention, or
 - (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or
 - (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
 - (f) he did not himself invent the subject matter sought to be patented, or
 - (g) before the applicant's invention thereof the invention was made in this country by another had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other ...

Title 35, U.S. Code § 103

Conditions for patentability; non-obvious subject matter

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Title 35, U.S. Code § 112 (in part)

Specification

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise and exact terms also enable any person skilled in the art to which it pertains, or with which it is mostly nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Title 35, U.S. Code § 119

Benefit of earlier filing date in foreign country; right of priority

An application for patent for an invention filed in this country by any person who has, or whose legal representatives or assigns have, previously regularly filed an application for a patent for the same invention in a foreign country which affords similar privileges in the case of applications filed in the United States or to citizens of the United States, shall have the same effect as the same application would have if filed in this country on the date on which the application for patent for the same invention was first filed in such foreign country, if the application in this country is filed within twelve months from the earliest date on which such foreign application was filed; but no patent shall be granted on any application for patent for an invention which had been patented or described in a printed publication in any country more than one year before the date of the actual filing of the application in this country, or which had been in public use or on sale in this country more than one year prior to such filing.

Title 35, U.S. Code § 120

Benefit or earlier filing date in the United States

An application for patent for an invention disclosed in the manner provided by the first paragraph of section 112 of this title in an application previously filed in the United States, or as provided by section 363 of this title, which is filed by an inventor or inventors named in the previously filed application shall have the same effect, as to such invention, as though filed on the date of the prior application, if filed before the patenting or abandonment of or termination of proceedings on the first application or an application similarly entitled to the benefit of the filing date of the first application and if it contains or is amended to contain a specific reference to the earlier filed application.

Please read carefully before signing the Declaration attached to the accompanying Application.

If you have any questions, please contact John C. Andres.